

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

FREE SOFTWARE FOUNDATION, INC.,  
a Massachusetts nonprofit corporation,

Plaintiff,

v.

CISCO SYSTEMS, INC.,  
a California corporation

Defendant.

**USDS SDNY**  
**DOCUMENT**  
**ELECTRONICALLY FILED**  
DOC #:  
DATE FILED: 4/22/09

**ECF CASE**

08 Civ. 10764 (PGG)

ORDER

PAUL G. GARDEPHE, U.S.D.J.:


WHEREAS during an April 21, 2009 conference in the above-captioned action both parties consented to a thirty-day order dismissing this action with prejudice; it is hereby

ORDERED that the above-captioned action shall be dismissed with prejudice but without costs; provided, however, that either party may apply to this Court by letter before **May 21, 2009** for restoration of the action to the Court's calendar.

The Clerk of the Court is directed to close the case.

Dated: New York, New York  
April 21, 2009

SO ORDERED.

  
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Paul G. Gardephe  
United States District Judge